

1 Michael E. Dergosits (SBN 118206)
2 DERGOSITS & NOAH LLP
3 Four Embarcadero Center, Suite 1450
4 San Francisco, California 94111
5 Telephone: (415) 705-6377
6 Facsimile: (415) 705-6383
7 mdergosits@dergnoah.com
8 Attorneys for GEE JEFFERY & PARTNERS
9 ADVERTISING, INC.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GEE JEFFERY & PARTNERS
ADVERTISING, INC.,

CASE NO.: C 06-01631 PJH

Plaintiff,

Consolidated for discovery with

v.

CASE NO.: C 05-04656 PJH

BEST BUY ENTERPRISE SERVICES,
INC., et al.,

**STIPULATION AND [PROPOSED]
ORDER AMENDING CASE
MANAGEMENT AND PRETRIAL ORDER
DATED JUNE 16, 2006**

Defendants.

IDENTITY ARTS, a California Limited
Liability Company

Plaintiff,

v.

BEST BUY CO., INC., et al.,

Defendants.

It is HEREBY STIPULATED by and between the parties hereto through their respective
counsel that certain of the dates pertaining to discovery and motion practice set forth in the

1 Case Management and Pretrial Order herein, dated June 16, 2006, are amended as follows:

2 Last day to serve written discovery: April 30, 2007

3 Non-Expert Discovery Cutoff: May 30, 2007

4 Identification of Experts: May 30, 2007

5 Last day to serve Opening
6 Expert Reports: June 29, 2007

7 Last day to serve Rebuttal
8 Expert Reports: July 30, 2007

9 Expert Discovery Cutoff: Sept. 7, 2007

10 Last Day to File and Serve
11 Dispositive Motions: Oct. 3, 2007

12 The reason for the above amendments is that the parties believe that additional time will
13 be required to complete fact discovery and, further, that it is not in the parties' interests to begin
14 the costly and time-consuming process of depositions, which are likely to involve dozens of
15 witnesses in several States and in Canada, prior to receipt of the Court's decision on defendants'
16 pending motions for judgment on the pleadings. The proposed amendments will not result in a
17 change to the trial date(s).

18 The parties further request that the Court vacate the settlement conference date presently
19 scheduled with Magistrate Spero for January 11, 2007. Counsel has contacted Magistrate Spero's
20 Chambers and has been advised to write to the Magistrate's Chambers to request a new date and,
21 thereafter, to coordinate directly with Magistrate's Chambers on scheduling the settlement
22 conference. The reason for this additional request is that the parties believe that the settlement
23 conference will be more productive once it is clear which parties and which claims will proceed
24 in the above actions.

1 DATED: _____, 2006

Respectfully submitted,

2 **DERGOSITS & NOAH LLP**

3 By: _____ /s/

4 Michael Dergosits

5 **SMITH DORAN & DEHN, PC**

6 By: _____ /s/

7 David Atlas

8 Attorneys for Plaintiff Gee Jeffery & Partners
Advertising, Inc. (in Best Buy II)

9 **BRADSHAW & ASSOCIATES**

10 By: _____ /s/

11 Scott A. Freedman

12 Attorneys for Plaintiff, Identity Arts, LLC (in Best
Buy I)

13 **ROBINS, KAPLAN, MILLER & CIRESI L.L.P.**

14 By: _____ /s/

15 Robert F. Hinton

16 Attorneys for Defendants Best Buy Enterprise
Services, Inc. and Best Buy Co., Inc. (in Best Buy
I)

17 Attorneys for Defendant AMC Entertainment Inc.
(in Best Buy II).

18 **DAVIS WRIGHT TREMAINE LLP**

19 By: _____ /s/

20 Thomas R. Burke

21 Attorneys for Defendants Identity Arts, LLC, David
Bobrow and David Janssen (in Best Buy II)

22 **HOLME ROBERTS & OWEN LLP**

23 By: _____ /s/

24 Roger R. Myers

25 Attorneys for Defendants Best Buy Enterprise
Services, Inc., Best Buy Co., Inc. and Sprint
Corporation (in Best Buy II)

1 IT IS SO ORDERED.
2
3 DATED: 12/22/06
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

